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Committee on the Elimination of Discrimination against Women
Sixty-third session

Summary record of the 1385th meeting*
Held at the Palais des Nations, Geneva, on Tuesday, 23 February 2016, at 10 a.m.

Chair: Ms. Hayashi

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* No summary records were issued for the 1383rd and 1384th meetings.

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The meeting was called to order at 10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (*continued*)

Sixth periodic report of the Czech Republic (CEDAW/C/CZE/6; CEDAW/C/CZE/Q/6 and Add.1)

1. *At the invitation of the Chair, the delegation of the Czech Republic took places at the Committee table.*

2. **Ms. Baršová** (Czech Republic), introducing the State party's sixth periodic report (CEDAW/C/CZE/6), along with a brief overview of events that had occurred and measures that had been adopted since its submission, said that an amendment to the 2009 Anti-Discrimination Act was currently before the parliament which, if passed, would give the Ombudsperson the powers to initiate public-interest proceedings (*actio popularis*) in cases of discrimination and thus increase the Act's effectiveness. In 2014, following a change in its ministerial structure, the Government had renewed its commitment to the promotion of gender equality and, to give shape and form to that commitment and provide a practical planning tool, had adopted the country's first long-term strategy for achieving equality between women and men in the Czech Republic. The strategy covered the years up to 2020, encompassed the eight main strategy areas defined in the Beijing Declaration and Platform for Action, addressed gender stereotypes, data collection and stakeholder cooperation, among other issues, and established specific indicators for monitoring and evaluating progress as well as minimum standards for gender equality within the public administration. A report on ways to improve the collection of data for use in monitoring gender equality had been adopted at the same time as the strategy. Responsibility for overseeing the strategy's implementation lay with the Gender Equality Unit of the Office of the Government and the Government Council for Equal Opportunities. A progress report on its application was to be prepared annually. To support the implementation and evaluation process, the Office of the Government had developed an easy-to-use gender impact assessment tool, and the Gender Equality Unit had organized training workshops to familiarize ministerial officers with its use.

3. Positive trends were apparent in the labour market. The gender pay gap was narrowing, although it was still over 20 per cent, and around two thirds of working-age women were in employment. However, the Government was aware that stereotypical attitudes and low levels of male involvement in childcare and other family tasks continued to impede gender equality. Those and other obstacles were being addressed in various ways. For example, the Ministry of Labour and Social Affairs was developing a project that would include a campaign to address the gender pay gap, gender stereotypes and women's underrepresentation in decision-making positions. The project would run from 2016 to 2020 and would also include the formulation of legislative proposals to increase wage transparency and the creation of other tools to support that effort. To help mothers reconcile work and family commitments, the Act on Children's Groups, adopted in 2014, established a legal framework for the provision of childcare services on a non-commercial basis and, to implement that provision, grants for the development of childcare facilities had been made available under the European Union Operational Programme for Employment. An initial tender process had been announced in October 2015.

4. Other Government initiatives that addressed issues of work-life balance had included: the establishment of a family policy committee within the Ministry of Labour and Social Affairs, whose work to date had included preparing proposals for the introduction of paternity benefits and reviewing the parental leave system to allow for the shared and more flexible use of entitlements; the launch of a new form of day

care based on micro-nurseries, which provided care in small groups for children under 5 years of age; and a proposal to amend the Education Act in order to guarantee a kindergarten place for all children aged over 4 years old by 2017 and all children over the age of 3 by 2018.

5. Various pieces of legislation designed to enhance protection against gender-based violence had been passed in recent years. The Crime Victims Act of 2013 accorded certain specific rights to victims of violent crimes, such as the right to be protected from contact with the offender, the right to free professional assistance and the right to be interviewed by a person of the gender of the victim's choosing. To support the implementation of that legislation, the Government had adopted a new action plan for the prevention of domestic and gender-based violence that covered the years up to 2018 and included 70 specific preventive measures. The plan had been developed with assistance from the Norwegian NGO Alternative to Violence (ATV) and the Committee for the Prevention of Domestic Violence and Violence against Women, which brought together experts from NGOs, relevant ministries and academia. Understanding and awareness of the problem were being broadened through various initiatives. The national Grant Agency was sponsoring research into intimate partner violence. The Gender Equality Unit had commissioned research into the availability of specialist social services and media coverage of gender-based violence. It had also organized an international conference on the economic and societal costs of domestic violence and another conference that had focused on the issue of rape. Workshops had been provided for teachers and social workers, again with support from ATV; and in May 2015, at an international conference held in Prague, experts from the Council of Europe, the European Commission, Norway, Poland and Estonia had come together to analyse such issues as the role of information and communication technologies in the prevention of gender-based violence and the protection of victims of such violence. To further reinforce its commitment to dealing with that problem, in February 2016 the Government had formally agreed to sign the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence and had authorized the Minister of Justice to initiate the legislative processes necessary for its ratification.

6. The Government was also actively promoting gender equality on the world stage. Equality in political participation and non-discrimination were a focus of its international strategy for the promotion of human rights and democracy, and gender mainstreaming was one of the cross-cutting principles reflected in its development cooperation and transition promotion programme. In 2014 and 2015, Czech-sponsored projects had benefited women in countries and regions such as Afghanistan, Bangladesh, Cambodia, Egypt, Georgia, Kosovo, the Republic of Moldova, Nepal, the State of Palestine and Zambia. In addition, a national action plan for the implementation of Security Council resolution 1325 (2000) on women, peace and security was in the pipeline, and Prime Minister Sobotka, together with two of his Cabinet Ministers, had recently joined the HeForShe solidarity movement.

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7. **Ms. Chalal** said that she would like to know what the State party was doing about the persistent dearth of gender-disaggregated statistics and data on domestic violence that were needed in order to assess its progress towards the elimination of gender-based discrimination. She also wished to know whether the measures adopted pursuant to Government Resolution No. 542 of 8 July 2015 concerning the data-collection obligations of State bodies had entered into effect and whether NGOs contributed to data-collection processes. Were State bodies required to compile figures relating to the multiple discrimination suffered in health, education and other areas by disadvantaged minority groups such as women with disabilities, migrant women and

Roma women? What was being done to guarantee equal treatment for those women and protect them from discrimination? In addition, she would appreciate further information about the Government's efforts to provide reparation to the victims of unlawful sterilizations and ensure that such practices were never repeated. She would particularly like to know how many women had been affected, whether doctors were involved in the reparation process and which body was responsible for seeing to it that redress was provided.

8. **Ms. Baršová** (Czech Republic) said that the Government had clear-cut plans for improving its data-collection processes. The measures adopted in July 2015 were in the early stages of implementation, so it was too early to comment on their impact, but a data-collection system that would provide all the necessary statistics would, in the long run, be achieved. Certain elements did, however, raise particular challenges. For example, accurate statistics on minorities such as the Roma were difficult to compile because the characterization of a person's national or ethnic origin was a subjective assessment, and the Czech Constitution gave all persons the right to self-identify with regard to their national origin and ethnicity. The Government was, on the other hand, able to collect accurate and comprehensive statistics on migration.

9. Having considered the recommendations of the Ombudsperson and relevant international bodies, the Government had decided not to approve draft legislation that would have established an extrajudicial mechanism for providing compensation to victims of forced sterilization. Its reasons included the fact that various judicial mechanisms were already available and that the courts had already awarded compensation in a number of cases. Furthermore, because the events in question had taken place two or more decades previously, there was little evidence aside from NGO reports, and medical records often either could not be located or simply did not exist. With a view to finding a way forward, the Office of the Government had been analysing the situation in conjunction with the Ministry of Health but, regrettably, there were no further developments to report at present.

10. **Ms. Zachariášová** (Czech Republic) said that, subsequent to the completion of the 2015 report on improving data collection for use in monitoring progress towards gender equality, recommendations concerning the compilation of additional data by government ministries had been issued. The Gender Equality Unit was in the process of evaluating the implementation of those recommendations and the resulting data with a view to publishing its findings in mid-2016. In collaboration with several other European countries, there were also plans to create a platform for the harmonization of data-collection systems. NGOs that collected data in specific fields also shared their data with the Government.

11. **Mr. Marounek** (Czech Republic) said that paragraph 58 of the State party's replies to the list of issues (CEDAW/C/CZE/Q/6/Add.1) summarized the information provided to women on the permanent nature, risks and consequences of surgical sterilization, the requirements concerning informed consent and the relevant cooling-off periods. As for the provision of health-care services for Roma women, under the health-care legislation in force, all insured persons were entitled to receive free, quality health care and had the right to complain if they believed that such care had not been made available as provided for by law. Such complaints were to be sent to the health-care services provider in the first instance and could be escalated in the event that the complainant disagreed with the provider's decision.

12. **Mr. Bruun** said that, while the adoption of the comprehensive 2009 Anti-Discrimination Act was commendable, the Committee had serious concerns regarding its implementation. Since that law had entered into force, just 22 cases of discrimination had been brought before the courts of first instance, of which 21 had failed to prosper. The sole conviction had resulted in an award for damages of less

than €2,000. He wished to draw the delegation's attention to the Committee's general recommendation No. 33 on women's access to justice and would like to know what steps the Government had taken or planned to take to address the very apparent problems surrounding access to justice. He would also be interested to learn whether there were plans to introduce legal aid and an *actio popularis* institution. Did judges and lawyers receive appropriate training on human rights instruments, including the Convention on the Elimination of All Forms of Discrimination against Women and its Optional Protocol?

13. **Ms. Jahan** said that, while she welcomed the introduction of a new migration strategy aimed at promoting the positive aspects of migration and the State party's commitment to increasing its overseas humanitarian aid, she wished to know what action was being taken within the Czech Republic to discourage anti-migration and anti-Islamic rhetoric, which was present even in the upper echelons of the Government. Bearing in mind the Committee's general recommendation No. 32 on the gender-related dimensions of refugee status, asylum, nationality and statelessness of women, she would like to know what steps had been taken to develop a gender-sensitive approach, in terms of both procedural and protective measures, to the ongoing refugee crisis and the fulfilment of the State party's international protection obligations.

14. **Ms. Chalal** asked why the bill on compensation for women victims of unlawful sterilization had been rejected.

15. **Ms. Baršová** (Czech Republic) said that, while it was true that the number of cases brought under the Anti-Discrimination Act was small, the Government was taking steps to make it easier for people to file complaints. It had, for example, proposed that the Ombudsperson should be given powers to bring public-interest proceedings on behalf of private persons. Legal action was not the only way to improve the situation, however, and feedback from the public indicated that the Ombudsperson was considered to be an accessible and affordable alternative. In 2014, the Ombudsperson had dealt with 398 complaints — including 30 involving gender-based discrimination and 6 relating to discrimination on the basis of sexual orientation — of which just 17 had been found to have actually involved discrimination. The Ombudsperson had expressed the view that the notion of discrimination was understood in a very broad sense in Czech society.

16. The Office of the Government of the Czech Republic had launched a social media campaign, primarily targeting young people between the ages of 15 and 25, that was aimed at eliminating widespread negative social attitudes and prejudices, including those focusing on migrants and refugees.

17. Lastly, the reasons why the bill on compensation for victims of unlawful sterilizations had not been approved included the availability of alternative avenues for seeking redress; the complicated nature of the proposed extrajudicial mechanism and doubts as to its functionality, fairness and effectiveness; and the lack of medical evidence, particularly for cases that had occurred many years in the past.

18. **Ms. Belloňová** (Czech Republic) said that the data compiled on domestic or sexual violence cases included the victims' gender. Judges and public prosecutors were regularly offered training on legislation covering anti-discrimination, domestic violence and gender equality. The Ministry of Justice was cognizant of how few cases had been brought to trial under the Anti-Discrimination Act and was taking steps to provide greater access to justice. Measures included proposals to introduce a bill on free legal aid, which was due to be submitted to parliament shortly, to reduce the court fees charged in discrimination cases and to amend the Code of Civil Procedure to streamline court proceedings.

19. **Ms. Pokorná** (Czech Republic) said that measures had been introduced in 2015 to provide a broad range of services, including accommodation, social care and legal assistance, to asylum seekers. A national integration strategy had been adopted for the assimilation of refugees and vulnerable groups of migrants into society. A policy aimed at integrating legally residing migrants into Czech society had also been introduced which included activities specifically directed at women, children and other vulnerable groups. Regional integration centres, open to all migrants, had been set up to offer language classes, legal advice and social assistance, among other services.

20. **Ms. Zachariášová** (Czech Republic) added that the Gender Equality Unit was due to launch a pilot study, in cooperation with NGOs, aimed at gaining an overview of the entire asylum process from a gender perspective and assessing the extent of any gender biases in the system.

21. **Ms. Haidar** said that, in view of the various changes made in the national institutional gender equality structure and the fact that the Gender Equality Unit's mandate had changed four times since 2008, the State party's assertion that those changes had not resulted in a "complete cessation" of work on the Unit's agenda was a cause of concern. Such instability would undoubtedly have had an enormous impact on the machinery's effectiveness. She would therefore appreciate more information on the real impact of those changes, particularly in respect of how they had limited the implementation of the gender equality agenda "to the necessary minimum" — a term that also required clarification. She also wished to know what resources had been allocated to the Gender Equality Unit and how its staff were trained; what the Unit's actual mandate now was; how it would address the weaknesses inherent in the national machinery for the advancement of women; and how it fulfilled its role of managing the gender equality policy at the national level and of monitoring implementation of the Convention. She would also welcome clarification on the differences between the mandates of the Gender Equality Unit and the Ombudsperson, as well as further information on the latter's role.

22. **Ms. Nwankwo** said that, while she welcomed the introduction of the Government Strategy for the Equality of Women and Men in the Czech Republic for the period 2014-2020, she wished to know what concrete, binding temporary special measures had been adopted to reach the 40 per cent gender quota for lists of electoral candidates; whether there were sanctions for non-compliance; and whether the action plan for implementing the 40 per cent quota had been finalized and, if so, what the outcomes had been. She also wished to know whether there were plans to amend the Anti-Discrimination Act to cover political participation; what steps were being taken to rectify the severe underrepresentation of Roma women; and whether any capacity-building and awareness-raising programmes were planned to address negative attitudes towards temporary special measures.

23. **Ms. Baršová** (Czech Republic) said that the Gender Equality Unit had been reassigned to various ministries since 2008 in line with evolving approaches to the concept of gender equality. The concept had, for example, initially been viewed as a social problem and had only later been understood to be a human rights issue. The reduction in funding for the Unit had been a result of austerity measures introduced during the economic crisis, but those measures were no longer in force.

24. Although they often dealt with similar issues, there were significant differences between the Office of the Public Defender of Rights (the Ombudsperson), an independent, quasi-judicial institution that reported directly to parliament, and the Gender Equality Unit, a body tasked with coordinating and supporting the work of government ministries. The two entities cooperated on a daily basis, in particular by sharing information and by carrying out joint awareness-raising activities.

25. The Government had sought to incorporate a gender perspective into the Romani Integration Strategy and into other policies and programmes for the Roma. It had also launched grant schemes to encourage the participation of Roma women in local politics and to facilitate the development of Roma communities.

26. Public opinion with regard to temporary special measures was largely negative, and past attempts to adopt them had proved unsuccessful. A common counterargument had been that there were many disadvantaged groups in society and that one should not be given priority over the others. There was no legal impediment to women running for political office, and grant programmes had been established to encourage them to do so.

27. **Ms. Zachariášová** (Czech Republic) said that the Gender Equality Strategy for 2014-2020 set out specific goals for the Gender Equality Unit, which currently had 10 employees, the highest number in its history. The Unit's mandate was to coordinate the Government's gender equality policies and, to that end, it organized regular workshops and meetings with the gender focal points in government ministries. The Unit also served as the secretariat of the Government Council for Equal Opportunities for Women and Men and formulated the Government's response to European Union directives, regulations and decisions regarding gender equality.

28. In July 2015, a proposed amendment to the Election Act to introduce a "zipper system" for candidate lists for elections to the Chamber of Deputies and to regional councils had been rejected by the Government, but the process had triggered a wide-ranging debate on the topic of quotas, which had historically received little public backing, and some political parties had since taken steps to boost women's representation. The Chamber of Deputies was debating whether or not to consider a redrafted amendment and, at the end of 2015, in contrast to its previous stance, the Government had expressed approval of legislation proposed by the European Commission to increase the number of women in non-executive board-member positions in publicly listed companies.

29. **Ms. Nwankwo** said that the delegation had not yet indicated whether the Action Plan for Equal Representation of Women and Men in Decision-making Positions for 2015-2018 had been submitted to the Government. She wished to know what practical measures were envisaged in the Plan and whether the Government would consider broadening the scope of the Anti-Discrimination Act to cover political participation.

30. **Ms. Haidar** enquired about the extent of cooperation between the Gender Equality Unit and civil society, including in relation to the implementation of the Committee's concluding observations.

31. **Ms. Baršová** (Czech Republic) said that there were no plans to expand the scope of the Anti-Discrimination Act and that rules governing political participation were already in place. Cooperation with civil society was fundamental to the work of the Government Council for Equal Opportunities for Women and Men.

32. **Ms. Zachariášová** (Czech Republic) said that the Action Plan for Equal Representation of Women and Men in Decision-making Positions for 2015-2018 was ready and should be presented to the Government within a month. Its submission had initially been scheduled for the end of 2015, only to be delayed by the need for further discussions with business representatives. Half the members of the Government Council for Equal Opportunities for Women and Men came from civil society organizations, which had helped to draft the Gender Equality Strategy for 2014-2020 and to give effect to the Committee's previous recommendations.

33. **Ms. Chalal** said that she wished to know what was being done to prevent employers from discriminating against mothers or pregnant women in terms of

recruitment and to raise awareness of gender issues among stakeholders in cultural, economic and political life. She would appreciate an update on the status of the methodology for identifying and countering sexism in advertising, which, according to paragraph 16 of the replies to the list of issues (CEDAW/C/CZE/Q/6/Add.1), should have been drawn up by the end of 2015. It would be helpful if the delegation could elaborate on the nature and objectives of the methodology. It would also be useful to know whether the State party intended to strengthen its labour relations legislation and to impose sanctions to discourage sexism in the labour market. How large was the budget allocation for combating gender stereotypes? She would be interested to learn whether new technology and social media would be used to intensify efforts to raise awareness of gender issues.

34. **Ms. Acar** said that she wondered why the names of the State party's committees, councils and action plans to combat domestic violence and violence against women, made reference only to prevention rather than also to the elimination of violence. The name of the Action Plan for the Prevention of Domestic and Gender-Based Violence for 2015-2018 raised some questions in her mind, since gender-based violence and violence against women were not the same thing; focusing efforts on the former could reduce their effectiveness in eradicating the latter. She wished to know what percentage of domestic violence victims were women, why violence against women was not being addressed directly by Czech society and why the State party had still not signed or ratified the Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention).

35. She would appreciate a description of the frequency and quality of the training given to police officers and health professionals who came into contact with victims of violence against women. Were specialized social services provided specifically to those victims? She also wished to know what kinds of services were offered in intervention centres, who ran and funded the centres, what percentage of the funding for victim support programmes and facilities came from the State and what percentage of the State budget was allocated to fighting violence against women. Information on the number and location of shelters for victims of violence against women would also be welcomed.

36. **Ms. Leinarte** said that she would appreciate additional details on the protection afforded to victims of human trafficking, particularly women and girls who had been trafficked for sexual purposes. She would like to know whether victims had access to shelters and to other forms of assistance, including psychological support, whether services were available to all victims irrespective of their country of origin and whether foreign victims were able to remain in the country even if they refused to cooperate with the police. She invited the delegation to explain how the project to support and protect victims of trafficking that was mentioned in paragraph 110 of the periodic report (CEDAW/C/CZE/6) tied in with the National Strategy for Combating Human Trafficking. She would appreciate information on the measures outlined in the two plans and on the budgets allocated to them. Details of regional cooperation and agreements for the prevention of human trafficking would also be helpful. She would welcome information about the status, content and aims of the bill to regulate prostitution and the delegation's comments on any public debates that had taken place on the matter. Were programmes in place for women wishing to exit prostitution?

37. **Mr. Šafařík** (Czech Republic) said that although the names of the State party's action plans on domestic violence and violence against women made reference only to prevention, the objectives of the plans included the protection of victims and the prosecution of perpetrators. The Action Plan for the Prevention of Domestic and Gender-Based Violence for 2015-2018, which had been approved in February 2015, drew on the Committee's general recommendation No. 19 and included 70 specific

measures related to, inter alia, rape, sexual harassment, stalking and the provision of social services.

38. There were 17 intervention centres in the Czech Republic, with at least one in the capital and in each of the 13 regions. The centres provided legal and psychological assistance, including crisis intervention, and were staffed by interdisciplinary teams with representatives of NGOs, the police force and the judiciary. Additional social services were provided by NGOs and were funded, in part, by the Ministry of Labour and Social Affairs and by regional authorities. In 2015, social services had been provided across the country to hundreds of women victims of domestic violence and members of other target groups. There were four shelters for women victims of domestic violence, and the objective was to open at least one in every region of the country.

39. **Ms. Belloňová** (Czech Republic) said that, in 2014, 80 per cent of the victims of domestic violence had been women. The Istanbul Convention had not been ratified as it had not been a political priority until 2015. In October of that year, the Government had requested the Ministry of Justice to submit the instrument of signature to that treaty, and it had approved that instrument in February 2016. By the end of 2017, the Ministry was to have proposed measures for incorporating the Convention into Czech legislation and, by the end of 2018, to have submitted a proposal for the ratification of the Convention to parliament. The majority of the provisions of the Convention were already being implemented under national laws, and steps were being taken to remove any remaining inconsistencies ahead of ratification.

40. **Mr. Potměšil** (Czech Republic) said that the police received training on how to deal with cases of domestic and gender-based violence as part of their basic training package. The programme to assist victims of human trafficking was intended for both men and women, regardless of their country of origin or the form of exploitation to which they had been subjected. Initially, victims were provided with accommodation and counselling for two months while they decided whether they wished to cooperate with the police and public prosecutors. If they agreed to do so, they were entitled to those services for a longer period. A number of information campaigns on human trafficking had been launched. The organized crime unit of the police worked with the Labour Inspectorate to prevent human trafficking. Moreover, the Judicial Academy provided training to public prosecutors and judges on that subject. The Government of the Czech Republic was working closely with the Government of the United Kingdom to stem the flow of trafficked persons arriving in the latter's territory and with the Organization for Security and Cooperation in Europe (OSCE) to address the issue of human trafficking in general.

41. **Ms. Dianišková** (Czech Republic) said that there was a team of labour inspectors responsible for monitoring compliance with the standard of equal treatment for men and women in the workplace that was set forth in the Labour Code. Those labour inspectors regularly attended seminars on gender equality in the labour market and consulted NGOs on that subject. Approximately 150 cases of gender-based discrimination in the workplace were reported each year.

42. **Ms. Zachariášová** (Czech Republic) said that the Government also ran a grant programme for NGOs working in the area of gender equality which had served to enhance the impact of the Government's strategy for gender equality for 2014-2020. A number of initiatives to combat negative stereotypes and sexist attitudes in Czech society were being undertaken by NGOs. The Anti-Discrimination Act laid down a definition of sexual harassment which served as the legal basis for dealing with sexist behaviour in the workplace.

43. **Mr. Šafařík** (Czech Republic) said that sexist advertising was prohibited in the Czech Republic. The body responsible for monitoring advertisements in order to detect sexist content had begun to make use of a special methodology devised by a government ministry in cooperation with NGOs and the Ombudsperson with a view to facilitating that task.

44. **Ms. Baršová** (Czech Republic) said that the new law governing the recruitment of civil servants provided more effective guarantees against gender-based discrimination in the government service. The existing legal framework for penalizing gender-based discrimination in the workplace was sufficient; the problem lay in ensuring that the competent authorities applied those penalties effectively. The Government would continue working to improve the efficiency of the Labour Inspectorate with a view to heightening its effectiveness in combating discrimination.

45. **Ms. Zachariášová** (Czech Republic) said that there were no plans to adopt a law to regulate prostitution. While such a law had been proposed on a number of occasions in the past, the inability of civil society to reach a common position on the subject had prevented a bill from being put forward for adoption. The Government would continue to assist women wishing to leave prostitution through social programmes tailored to their specific needs. If civil society could reach a common stance on the issue, then the adoption of such a law would become a possibility.

46. **Mr. Marounek** (Czech Republic) said that victims of violence had access to health-care services and that the cost of those services was covered by the Czech State health insurance.

47. **Ms. Hofmeister** said that the plight of the Roma was chiefly the result of a long history of discrimination and social exclusion. Roma women, in particular, were often subject to multiple forms of discrimination, primarily on the grounds of gender, but also on the grounds of ethnicity and, in some cases, disability. She would like to know whether the Roma community was a legally recognized national minority and what measures the State party had taken to counteract the widespread bias against that community and to curb hate speech directed at its members. Turning to the practice of forced sterilization, she wished to know more about the exact nature of the obstacles to the introduction of a compensation scheme for women who had been forcibly sterilized and to have some idea of how many women would be entitled to compensation under such a scheme.

48. **Ms. Acar** asked whether stalking, including cyberstalking, was prohibited under Czech criminal law and whether it was characterized as a form of violence against women. Noting that the Czech Criminal Code defined rape as sexual intercourse carried out through violence or threat of violence, or through abuse of the victim's vulnerability, she wished to know whether the differential power relations between the perpetrator and the victim were taken into account when determining whether the victim's vulnerability had been taken advantage of or whether the victim had consented to the sexual intercourse. Were judges provided with training on that topic?

49. **Ms. Baršová** (Czech Republic) said that, when the country had been under communist rule, efforts had been made to integrate the Roma community into all spheres of society, including the labour market, and those efforts had proved largely successful. The Roma community enjoyed the status of a national minority in the Czech Republic and was represented by a special council. The council dealt with specific issues affecting the integration of the Roma community into Czech society, which tended to be more complex than the issues facing other minorities. The language of the Roma community was also recognized as a minority language, in accordance with the European Charter for Regional or Minority Languages.

50. The practice of forced sterilization had been chiefly attributable to the poor management of health-care services and to the attitudes to forced sterilization that had prevailed under the communist regime, in which less importance had been attached to civil liberties and freedoms and to obtaining informed consent for such procedures. A compensation scheme for women who had been forcibly sterilized had not been introduced because it was not considered to be the most effective remedy. The total number of women who would benefit from such a scheme was difficult to determine.

51. **Ms. Belloňová** (Czech Republic) said that stalking, including cyberstalking, was expressly prohibited by the Criminal Code. The case law of the Supreme Court provided that differential power relations between a perpetrator and victim could not be taken into account for the purposes of proving rape but could be taken into account for the purposes of proving sexual coercion, which was also a criminal offence.

52. **Mr. Šafařík** (Czech Republic) said that the Action Plan to Prevent Domestic and Gender-Based Violence incorporated studies and statistics on the prevalence of those phenomena in Czech society. The plan focused not only on preventing domestic and gender-based violence, but also on eliminating it. Moreover, it took account of the gender-specific needs of women, who were disproportionally affected by those forms of violence.

53. **Ms. Baršová** (Czech Republic) said that, while the Government attempted to use information and communication technologies to raise public awareness about gender-based violence, it was fully aware that such technologies could also breed more insidious forms of violence against women, such as cyberstalking, which could necessitate the adoption of further legislation.

54. **Ms. Zachariášová** (Czech Republic) said that the Government planned to conduct a study on cyberbullying and cyberviolence. The study would include an analysis of relevant legislation and present ways of dealing with those phenomena, as well as good practices used in other countries.

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55. **Ms. Nwankwo** said that, according to statistics collected by the Inter-Parliamentary Union, as at 1 January 2016, the Czech Republic had been ranked 88th in the world in terms of the number of women in its national parliament. While progress had been made in increasing the number of women in leadership positions in the State party, much remained to be done. She welcomed the considerable increase in women's representation in ministerial positions and the fact that 61 per cent of the members of the judiciary were women. However, the State party was still far from achieving the target level of representation of women of 40 per cent in all other sectors. In its previous concluding observations (CEDAW/C/CZE/CO/5), the Committee had expressed concern that women, in particular Roma women, continued to be significantly underrepresented at all decision-making levels, including both chambers of parliament, regional and local assemblies, the executive branch and senior positions in the government administration and the diplomatic service. While some progress had been achieved under the various initiatives undertaken to correct that anomaly, the State party should step up its efforts in that area. It would also be helpful if the delegation could provide statistics on the level of participation of women in the diplomatic service and in international organizations and on the measures in place to guarantee equal opportunities for women to represent their Government at the international level.

56. **Ms. Nadaraia** said that it was the Committee's understanding that the recently adopted law on citizenship laid down more detailed conditions for acquiring Czech citizenship, the fulfilment of which did not necessarily result in the conferral of that

right, as the decision was often left to the discretion of the competent authorities. While the law provided for the possibility of holding dual citizenship, it applied stricter rules to the transmission of Czech citizenship to a child born out of wedlock to a non-Czech mother and a Czech father. Under that law, the child could only obtain Czech citizenship if his or her paternity was confirmed by the courts. Even if the mother and father submitted a joint declaration of parenthood to the courts, the child could only obtain Czech citizenship if his or her mother held a permanent residence permit or was stateless, or if the child's parents consented to a DNA test to confirm paternity, which amounted to discrimination against the mother. She invited the delegation to provide additional information on the law in question.

The meeting rose at 1 p.m.